IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 114 (SS) of 2004
(Old No. 1042 of 1991)

Suresh Chandra Tyagi,
Aged about 32 years,
S/o Sri Pyare Lal,
R/o Rajkiya Khad Vigyan
Prashikshan Kendra
Industrial Area,
Kotdwar,
Pauri Garhwal. **.....Petitioner.**

Versus

1. State of Uttar Pradesh through Secretary, Horticulture and Food Processing, Civil Secretariat, Lucknow.
2. Director, Horticulture and Food Processing.

.....Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri B.P. Nautiyal, learned counsel for the petitioner and learned standing counsel for State of Uttarakhand on behalf respondents.

By means of this writ petition, the petitioners have prayed for the following reliefs:

a. *Issue a writ order or direction in the nature of Certiorari thereby quashing the impugned orders dated 06.01.1989, 15.01.1990 and 01.02.1991 contained in Annexure No. 3, 4 and 5 to the writ petition to the extent of creating artificial breaks in petitioner's service.*

b. *Issue a writ order or direction in the nature of mandamus thereby commanding the respondents to regularize the services of the petitioner on the post of Instructor in view of the Government Order issued by the respondent no. 1.*

c. *Issue a writ order or direction in the nature of Mandamus thereby commanding the respondents not to create artificial breaks in the services of the petitioner and pay him regular salary and other allowance each and every month on the post of Instructor.*

d. *Issue any other appropriate writ, order or direction or grant such other and further relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.*

e. *Award the cost of the writ petition.*

Learned counsel for the petitioner has submitted that services of the petitioner have already been regularized long back and petitioner has been promoted to higher post.

In view of the statement made by learned counsel for the petitioner, writ petitioner has become infructuous, as such, is dismissed as infructuous.

(M.M. Ghildiyal, J)

April 03, 2007
SKSharma